

HOUSE JOURNAL

SIXTY-SECOND LEGISLATURE, REGULAR SESSION

AUSTIN, TEXAS, TUESDAY, JANUARY 12, 1971

PROCEEDINGS

FIRST DAY—TUESDAY, JANUARY 12, 1971

In accordance with the Constitution and laws of the State of Texas, the Members-elect of the House of Representatives of the Sixty-second Legislature assembled this day in the Hall of the House of Representatives in the City of Austin at 12 noon. The Honorable Martin Dies, Jr., Secretary of State of the State of Texas, called the House of Representatives to order.

The Invocation was offered by the Reverend Carl A. Heckmann, President of the Texas District of the Lutheran Church-Missouri Synod, as follows:

God, You gave us light.

We've turned the lights down.

We've been satisfied to live in the shadows of vileness and violence, of fear and frustration, of prejudice and poverty.

You gave us a wonderful world, a world to be enjoyed, a world to be celebrated as a sharing of Your love for us.

We've permitted it to become dirty, polluted, crime-ridden, hate-filled, war-weary, and tired.

You gave us life, and gave Your Son, Jesus Christ, so that in Him and His love we might have a richer, fuller, and happier life.

For so many, life means poverty and pain, helplessness and hopelessness, a miserable today, followed by a bleak tomorrow.

We recognize, Oh Lord, our sins and weaknesses, our shortcomings, our inability to cope with all of the problems, and to make the most of all the opportunities presented to us with each passing day.

For our sins we are sorry. For the problems and opportunities we are thankful.

To us, the Members of this Legislature, has been given the responsibility of governing and ruling wisely, of setting the bounds and limits of real living for the many people who live in the great State of Texas.

We pray for the Governor, the Honorable Preston Smith. We pray for the Speaker of this House. We pray for the 62nd Legislature, for each Member of it, and for all who have responsibilities related to it. Give us the concern to listen carefully, the wisdom to think clearly, the grace to judge wisely, the love to speak carefully, the dedication to give our best.

Forgive us our sins, and give us the strength to live closer to You. Bless us, and grant us the grace to receive Your blessing. Be with us this day and every day, and make us grateful for Your presence. For our prayer is made in the Name of Jesus Christ, Your Son, our Lord and Savior. Amen.

The Honorable Martin Dies, Jr., Secretary of State of the State of Texas, then addressed the House, speaking as follows:

Honorable Members of the House of Representatives of the 62nd Legislature:

It is with great pride and honor that, as your Secretary of State, I open this session. Certainly we all acknowledge that you face monumental problems, problems that have no easy solution. But with these problems go the challenge to once again prove to the world that a government selected by the governed is the best for meeting and solving these problems. We know democracy is the most just form of government. We must also continue to prove that it is the most durable.

To be selected by your constituents to represent them in this historic Chamber is a great trust. People do not expect miracles but they do demand effort. One can look about our society and see many inequities but when we look backward at mankind we must conclude that great progress has been made. People all over the world, regardless of their differences in language, customs or color, have one thing in common. They each want for themselves and their children a better and a more just way of life. To this noble purpose let us dedicate this 62nd Legislature.

APPOINTMENT OF TEMPORARY OFFICERS AND EMPLOYEES

The Honorable Martin Dies, Jr., announced the appointment of the following temporary officers and employees for the House of Representatives of the Sixty-second Legislature:

Chief Clerk	Louise Snow Phinney
Assistant Chief Clerk	Dorothy Hallman
Sergeant at Arms	Ernest Boyett
Assistant Sergeant at Arms	Walter Schaefer
Parliamentarian	Robert E. Johnson
Reading Clerk	Douglas Weitzel
Assistant Reading Clerk	Clay Kistler
Journal Clerk	Jeanette Burk
Calendar Clerk	Adele Jacobs
Engrossing and Enrolling Clerk	Orea Guffin
Voting Machine Operator	C. H. Petri, Jr.
Chaplain	The Reverend Carl Heckmann

Pages: Bill Betts, Henry Boehm III, David Dies, Trey Doran, Vance Elliott, Casey Hahn, Lowell Herzog, Jr., Neil Kruse, Ryan Long, Scott J. Mokry, Doug Wilson Ray, Fred Schraub, Brian Shannon, Wesley Shannon, and Duke Stark.

ROLL OF MEMBERS-ELECT SHOWING DISTRICTS REPRESENTED

The Honorable Martin Dies, Jr., directed the Clerk to call the roll of

Members-elect of the House of Representatives of the State of Texas of the Sixty-second Legislature, according to Representative Districts.

The roll was called, as follows:

District	Name
1	Howard, Ed
2	Slider, James L.
3	Grant, Ben Z.
4	Burgess, Steve
5	Hannah, John H.
6	Daniel, Price, Jr.
7	Adams, Don
8	Haynes, Clyde, Jr.
9, Place 1	Kilpatrick, Rufus
9, Place 2	Doyle, Terry
9, Place 3	Parker, Carl A.
9, Place 4	Smith, Will L.
10	Solomon, Neal
11	Ingram, Gayle
12	Bass, Bill
13	Allen, John
14	Williamson, Billy H.
15	Head, Fred
16	Price, Rayford
17	Lovell, James L.
18	Presnal, Bill
19	Caldwell, Neil
20	Hubenak, Joe A.
21, Place 1	Harris, Ed J.
21, Place 2	Neugent, Dean
22, Place 1	Ogg, Jack C.
22, Place 2	Mengden, Walter H., Jr.
22, Place 3	Blythe, W. J. (Bill), Jr.
22, Place 4	Bowers, A. S. (Sid)
22, Place 5	Earthman, Jim
22, Place 6	Lee, Will
22, Place 7	Jones, Edmund E. (Sonny)
23, Place 1	Nichols, R. C. (Nick)
23, Place 2	Williams, Lindon
23, Place 3	Allen, Joe
23, Place 4	Braun, Rex
23, Place 5	Cruz, Lauro
23, Place 6	Graves, Curtis M.
24, Place 1	Bass, Tom
24, Place 2	Lemmon, Ray
24, Place 3	Gammage, Robert A.
24, Place 4	Clark, Jim
24, Place 5	Swanson, Bill T.
24, Place 6	Nelms, Johnny
25	Cole, James D.
26	Hawkins, Jack R.
27	Kubiak, Dan
28	Jungmichel, Charles
29	Mutscher, G. F. (Gus)
30	Uher, D. R. (Tom)

District	Name
31	Beckham, Vernon
32	Hendricks, Bob
33, Place 1	Braecklein, William
33, Place 2	Atwell, Ben
33, Place 3	Boyle, John F., Jr.
33, Place 4	Reed, Dick
33, Place 5	Holmes, Zan W., Jr.
33, Place 6	Agnich, Fred
33, Place 7	Moore, Griffith
33, Place 8	McKissack, Dick
33, Place 9	Stroud, J. W.
33, Place 10	Hawn, Joe
33, Place 11	Semos, Chris V.
33, Place 12	Coats, Sam
33, Place 13	Blanton, Jack
33, Place 14	Orr, Fred
33, Place 15	Golman, Joe H.
34	Moore, Aubry L.
35, Place 1	Denton, Lane
35, Place 2	Moore, Tom, Jr.
36	Salter, Robert (Bob)
37	Bigham, John R.
38	Patterson, Charles
39, Place 1	Davis, Harold
39, Place 2	Angly, Maurice, Jr.
39, Place 3	Cavness, Don
39, Place 4	Foreman, Wilson
40	Schulle, Gerhardt A., Jr.
41	Traeger, John
42	Von Dohlen, Tim
43	Wyatt, Joe
44	Wieting, Leroy J.
45, Place 1	Farenthold, Mrs. Frances Tarlton
45, Place 2	Truan, Carlos
45, Place 3	Salem, Joe
45, Place 4	Hale, L. DeWitt
46, Place 1	Murray, Menton J.
46, Place 2	Sanchez, Henry
46, Place 3	Garcia, J. A., Jr.
47, Place 1	Longoria, Raul
47, Place 2	Rodriguez, Lindsey (Rod)
47, Place 3	Atwood, A. C. (Bud)
48	Carrillo, Oscar, Sr.
49	Poerner, John H.
50	Parker, Walter E.
51	Holmes, Tom
52, Place 1	Moncrief, Mike
52, Place 2	Hilliard, Bill
52, Place 3	Sherman, W. C. (Bud)
52, Place 4	Lewis, Gibson D.
52, Place 5	Shannon, Tommy
52, Place 6	Spurlock, Joe, II
52, Place 7	Finney, David
52, Place 8	Hull, Cordell
53	Hanna, Joe C.
54	Ward, J. E.

District	Name
55	Nugent, James E.
56	Harding, Forrest A.
57, Place 1	Johnson, Jake
57, Place 2	Vale, R. L. (Bob)
57, Place 3	Finck, Bill
57, Place 4	Kost, Lou, Jr.
57, Place 5	Dramberger, A. L. (Tony)
57, Place 6	Silber, Paul
57, Place 7	Simmons, Wayland A.
57, Place 8	Wolff, Nelson W.
57, Place 9	Floyd, Guy
57, Place 10	Lombardino, Frank
58	Newton, Jon P.
59	Ligarde, Honore
60, Place 1	Stewart, Vernon
60, Place 2	Allred, Dave
61	Finnell, Charles
62, Place 1	Jones, Grant
62, Place 2	Calhoun, Frank W.
63	Davis, Dee Jon
64	Nabers, Lynn
65	Doran, Hilary, Jr.
66	Baker, George
67, Place 1	Santiesteban, H. Tati
67, Place 2	Tupper, Charles, Jr.
67, Place 3	Moreno, Paul C.
67, Place 4	Kaster, James
67, Place 5	Niland, Tom
68	Pickens, Ace
69	Slack, Richard C.
70	Craddick, Tom
71	Rosson, Renal B.
72	Clayton, Bill
73	Short, E. L.
74, Place 1	Bynum, Ben
74, Place 2	Poff, Bryan, Jr.
75	Christian, Tom
76, Place 1	Jones, Delwin L.
76, Place 2	Tarbox, Elmer L.
76, Place 3	McAlister, R. B.
77	Cobb, L. Dean
78	Wayne, Ralph
79	Cates, Phil
80	Heatly, W. S. (Bill)

I, Martin Dies, Jr., Secretary of State of the State of Texas, do hereby certify that the above and foregoing is a true and correct list by Districts of the Members of the House of Representatives of the 62nd Legislature, whose election on November 3, 1970 has been duly and legally certified to this office.

Dated: January 12, 1971.

(SEAL)

Martin Dies, Jr.
Secretary of State of Texas

HOUSE NOTIFIED

A Committee from the Senate was announced at the Bar of the House and, being admitted, stated that the Senate was now organized and was ready for the transaction of business.

ROLL OF MEMBERS-ELECT IN ALPHABETICAL ORDER

Upon direction of the Honorable Martin Dies, Jr., the roll of the Members-elect of the House of Representatives of the State of Texas of the Sixty-second Legislature was called in alphabetical order and the following Members-elect were present:

Name	District
Adams, Don	7
Agnich, Fred	33-6
Allen, Joe	23-3
Allen, John	13
Allred, Dave	60-2
Angly, Maurice, Jr.	39-2
Atwell, Ben	33-2
Atwood, A. C. (Bud)	47-3
Baker, George	66
Bass, Bill	12
Bass, Tom	24-1
Beckham, Vernon	31
Bigham, John R.	37
Blanton, Jack	33-13
Blythe, W. J. (Bill), Jr.	22-3
Bowers, A. S. (Sid)	22-4
Boyle, John F., Jr.	33-3
Braecklein, William	33-1
Braun, Rex	23-4
Burgess, Steve	4
Bynum, Ben	74-1
Caldwell, Neil	19
Calhoun, Frank W.	62-2
Carrillo, Oscar, Sr.	48
Cates, Phil	79
Cavness, Don	39-3
Christian, Tom	75
Clark, Jim	24-4
Clayton, Bill	72
Coats, Sam	33-12
Cobb, L. Dean	77
Cole, James	25
Craddick, Tom	70
Cruz, Lauro	23-5
Daniel, Price, Jr.	6
Davis, Dee Jon	63
Davis, Harold	39-1
Denton, Lane	35-1
Doran, Hilary, Jr.	65
Doyle, Terry	9-2
Dramberger, A. L. (Tony)	57-5
Earthman, Jim	22-5

Name	District
Finck, Bill	57-3
Finnell, Charles	61
Finney, David	52-7
Floyd, Guy	57-9
Foreman, Wilson	39-4
Gammage, Robert A.	24-3
Garcia, J. A., Jr.	46-3
Golman, Joe H.	33-15
Grant, Ben Z.	3
Graves, Curtis M.	23-6
Hale, L. DeWitt	45-4
Hanna, Joe C.	53
Hannah, John H.	5
Harding, Forrest A.	56
Harris, Ed J.	21-1
Hawkins, Jack R.	26
Hawn, Joe	33-10
Haynes, Clyde, Jr.	8
Head, Fred	15
Heatly, W. S. (Bill)	80
Hendricks, Bob	32
Hilliard, Bill	52-2
Holmes, Tom	51
Holmes, Zan W., Jr.	33-5
Howard, Ed	1
Hubenak, Joe A.	20
Hull, Cordell	52-8
Ingram, Gayle	11
Johnson, Jake	57-1
Jones, Delwin L.	76-1
Jones, Edmund E. (Sonny) ..	22-7
Jones, Grant	62-1
Jungmichel, Charles	28
Kaster, James	67-4
Kilpatrick, Rufus	9-1
Kost, Lou, Jr.	57-4
Kubiak, Dan	27
Lee, Will	22-6
Lemmon, Ray	24-2
Lewis, Gibson D.	52-4
Ligarde, Honore	59
Lombardino, Frank	57-10
Longoria, Raul	47-1
Lovell, James L.	17
McAlister, R. B.	76-3
McKissack, Dick	33-8
Mengden, Walter H., Jr.	22-2
Moncrief, Mike	52-1
Moore, Aubry L.	34
Moore, Griffith	33-7
Moore, Tom, Jr.	35-2
Moreno, Paul C.	67-3
Murray, Menton J.	46-1
Mutscher, G. F. (Gus)	29
Nabers, Lynn	64
Nelms, Johnny	24-6

Name	District
Neugent, Dean	21-2
Newton, Jon P.	58
Nichols, R. C. (Nick)	23-1
Niland, Tom	67-5
Nugent, James E.	55
Ogg, Jack C.	22-1
Orr, Fred	33-14
Parker, Carl A.	9-3
Parker, Walter E.	50
Patterson, Charles	38
Pickens, Ace	68
Poerner, John H.	49
Poff, Bryan, Jr.	74-2
Presnal, Bill	18
Price, Rayford	16
Reed, Dick	33-4
Rodriguez, Lindsey	47-2
Rosson, Renal B.	71
Salem, Joe	45-3
Salter, Robert (Bob)	36
Sanchez, Henry	46-2
Santiesteban, H. Tati	67-1
Schulle, Gerhardt, Jr.	40
Semos, Chris V.	33-11
Shannon, Tommy	52-5
Sherman, W. C. (Bud)	52-3
Short, E. L.	73
Silber, Paul	57-6
Simmons, Wayland A.	57-7
Slack, Richard C.	69
Slider, James L.	2
Smith, Will L.	9-4
Solomon, Neal	10
Spurlock, Joe, II	52-6
Stewart, Vernon	60-1
Stroud, J. W.	33-9
Swanson, Bill T.	24-5
Tarbox, Elmer L.	76-2
Traeger, John	41
Truan, Carlos	45-2
Tupper, Charles, Jr.	67-2
Uher, D. R. (Tom)	30
Vale, R. L. (Bob)	57-2
Von Dohlen, Tim	42
Ward, J. E.	54
Wayne, Ralph	78
Wieting, Leroy J.	44
Williams, Lindon	23-2
Williamson, Billy H.	14
Wolff, Nelson W.	57-8
Wyatt, Joe	43

I, Martin Dies, Jr., Secretary of State of the State of Texas, do hereby certify that the attached is a true and correct list, in alphabetical order, of the Members of the House of Representatives of the 62nd Legislature, whose duplicate election certificates have been filed with the Secretary of

State pursuant to Article 124 of the Texas Election Code (Article 8.42, V. A. T. S.).

(SEAL)

In Testimony Whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this 12th day of January, A. D. 1971.

Signed: Martin Dies, Jr., Secretary of State.

The Honorable Frances T. Farenthold of District 45-1 was not present to answer the roll call.

The Secretary of State announced a quorum of the House present.

OATH OF OFFICE ADMINISTERED

Louise Snow Phinney, Temporary Chief Clerk of the House, under the direction of the Honorable Secretary of State, administered the Constitutional Oath of Office to the Members-elect of the House of Representatives of the Sixty-second Legislature of the State of Texas, all of them present rising together and repeating the following oath, prescribed by the Constitution, as it was read to them, as follows:

"I,, do solemnly swear (or affirm) that I will faithfully execute the duties of the Office of a Member of the House of Representatives of the Sixty-second Legislature of the State of Texas, and will to the best of my ability preserve, protect and defend the Constitution and laws of the United States and of this State and I furthermore solemnly swear (or affirm), that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected. So help me God."

HSR 1 — ADOPTED

(Concerning privileges of the Floor pending election of Speaker)

Mr. Shannon offered the following resolution:

HSR 1

Be It Resolved by the House of Representatives of the State of Texas, That pending the election of the Speaker, all persons other than Members of the Legislature, members of their families, temporary officers, and approved press representatives, be barred from the Floor of the House of Representatives inside the rail.

The resolution was read and was unanimously adopted.

ELECTION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

The Secretary of State announced that the next order of business was the election of the Speaker of the House of Representatives of the Sixty-second Legislature of the State of Texas, and stated that nominations for Speaker are now in order.

The Secretary of State recognized the Honorable Charles H. Jungmichel of Fayette County, who placed in nomination for Speaker of the House of Representatives of the Sixty-second Legislature of the State of Texas the name of the Honorable G. F. (Gus) Mutscher of Washington County, speaking as follows:

Mr. Secretary of State, Distinguished Guests, Members of the House of Representatives, Ladies and Gentlemen:

Friendship is born of respect, kindness and appreciation. Often, friendship is matured through mutual goals, and is warmed by success. To me, there are few times, other than in the course of the Legislative process within the walls of this House, which are more fruitful for the making and ripening of lasting friendships. God grant that this 62nd Legislative Session reaps a bountiful harvest of such bonds.

My remarks are first directed to friendship because it is with such esteem that I speak in behalf of a colleague. I rise before the Membership with great pride to place in nomination for the high office of Speaker of the House of Representatives, 62nd Legislature, the name of a friend, my neighbor and distinguished colleague, the Honorable G. F. "Gus" Mutscher of Brenham.

We are of neighboring House Districts—28th and 29th. Our electorates share like concerns for the present, and inspiring hopes for the future. We represent resourceful and resolute people for whom fulfillment of duty and obligation is their motivation day by day. Their word is their bond.

When I came to this House in 1965, I found that a working image of these people and their characteristics had preceded me by four years. The noble attributes of the people he represented were reflected in the earnestness and activity of Gus Mutscher. His industry and efforts, in committee and on the Floor, evidenced a dedication to worthwhile service to enhance the conduct of the living, and to help shape an even greater destiny for generations yet to be. He was—and is—a constructive Member.

We new Members of the House, Fifty-ninth Legislature, found Gus Mutscher ready to extend a helping hand. We learned his opinions were those we could value at once for their justness and their sincerity. He was a knowledgeable Member of unselfish service. To his fellow Members, he gave wholehearted allegiance and stood steadfast to purpose and principle in both the sorrows of defeat and the joys of success.

Understanding and loyalty given bring understanding and loyalty in return. Two brief years ago, the House of Representatives, 61st Legislature, bestowed upon this diligent young man its highest honor—The Speakership. He has held the gavel with an even hand. His first term as Speaker has been one of tireless effort. Gus Mutscher has been one of the most responsive Speakers in the annals of the House of Representatives. He has written a proud record of working with, beside, and for the Membership of this House. He has proved the quality of his leadership, and strong leadership is required at this Session.

I do here and now counsel the Membership that in the best interest of all, Gus Mutscher be elected Speaker, House of Representatives, 62nd Legislature.

The Secretary of State then asked if there were further nominations for

the Office of Speaker of the House of Representatives of the Sixty-second Legislature.

There being none, the Secretary of State then recognized the Honorable Bill Braecklein of Dallas County, who seconded the nomination of the Honorable G. F. (Gus) Mutscher, speaking as follows:

Mr. Secretary of State, Members of the House, Fellow Texans:

I have been proud to serve under a Speaker whose interests and efforts in behalf of rural and urban populations of our State are equally noteworthy, and I look forward to a second session guided by this persevering fellow Member.

Gus Mutscher's dynamic leadership has brought recognition and esteem to this House. He is a member of the Southern Conference Executive Committee, Council of State Governments. The College of Business Administration, the University of Texas at Austin, honored him as a 1969 Distinguished Alumnus. An active member of his church from boyhood, Gus was chosen, in October, 1970, as a Regent of Texas Lutheran College.

Frankly, I think Gus brought the highest of honors to himself when he won the hand of the charming First Lady of the House, the former Donna Axum—and a former Miss America. Gus scored big in Arkansas. Donna is a delight to all of us.

Two years ago in the order of business of electing a Speaker, Gus Mutscher was described as a Member "mindful of our State's glorious heritage with his eyes wide open to the wonders of its future." I heartily agree. He is an able advocate of action . . . of action to meet the complexities of environmental control . . . an able advocate of action to solve the problems of mass transportation . . . of action to give a helping hand to our youth . . . an able advocate for the preservation of law and order in our streets, in communities of all types and sizes.

He has the courage, convictions and moral sense to work with all of us for the betterment of our state . . . to help uplift our culture at all levels.

I respectfully second the nomination of Gus Mutscher of Brenham, as Speaker, House of Representatives, 62nd Legislature.

INTRODUCTION OF GOVERNOR PRESTON SMITH

The Secretary of State addressed the House briefly and introduced the Honorable Preston Smith, Governor of Texas, who was present in the House Chamber.

ELECTION OF SPEAKER (continued)

The Secretary of State then recognized the Honorable Dean Cobb of Moore County, who seconded the nomination of the Honorable G. F. (Gus) Mutscher, speaking as follows:

Mr. Secretary of State, Distinguished Guests, Fellow Members and Fellow Texans:

My remarks are those of a freshman Member, one term removed. Since taking my oath of office two years ago, my appreciation of the duties and responsibilities of the Speaker has increased tremendously.

There are daily chores the Speaker performs or directs that, in my opinion, are as essential as any of his Legislative responsibilities. You will learn that the House Administration, of which the Speaker is, so to speak, the Chairman of the Board, can be most helpful. I was afforded a lift whenever and wherever possible by the Speaker who helped me to be fully informed of House operations. This made for better communication with, and better representation of, my district.

From time immemorial, man has sought better tools with which to do his job. Look around you, fellow Members. Improvement in the facilities and accommodations to make for better work conditions in our representative duties are self-evident. Research library facilities and competent staffs are at our disposal. Their beneficial use is up to us.

It is my opinion that Gus Mutscher has upgraded the House in appearance and decorum in immeasurable fashion; but, more importantly, he has maintained contact with the Membership from freshman to senior. Fortunately, he also has maintained his patience, for the needs of the Membership are many and varied. He has fulfilled the not-so-glamorous duties of the Speakership with the same diligence that he has given to interim and study committees and to the duties of the Session. He is, my friends, a year 'round Speaker available to the Membership as friend, counselor, and leader.

As a compliment to the good judgment of the 61st House of Representatives, I second the nomination of Gus Mutscher as Speaker of the House of Representatives, 62nd Legislature.

The Secretary of State then recognized the Honorable Raul Longoria of Hidalgo County, who seconded the nomination of the Honorable G. F. (Gus) Mutscher, speaking as follows:

Mr. Secretary of State, Distinguished Guests, Members of the House of Representatives, Ladies and Gentlemen:

Ten years ago—January 10, 1961—Gus Mutscher and I came to the House as freshman Members. Our districts were far removed historically and geographically and we were strangers to each other; but, mutual respect and cooperation developed rapidly in the course of a Legislative Session.

To be a Representative in a State like Texas and the spokesman for a people like ours is an opportunity that comes to but a few in this world. We have tremendous opportunities for public service. Our duties and obligations are staggering and the history we write at this Legislature will mark us either as big or little men in public office. To accomplish our task we must have a proven leader whose interests encompass those of all Texans.

Through the ten years I have known Gus Mutscher, my respect for him has continuously grown. He recognizes and respects the position of his fellow Members on all issues. He is as conversant with our plans and projects in the Valley as he is with those of his own and the other areas of Texas. His efforts in behalf of vocational and technical education will make him long appreciated by all of the people of South Texas. I am humbly

grateful that we have a deserving one among us on whom we can rely to fulfill the heavy responsibilities and duties that are commensurate to the Office of Speaker.

The 61st Legislature tested the abilities and perseverance of many Members and none responded as did our Speaker. He met severe challenges and always acted with honor, strength of purpose and concern for the results. He anticipated our needs and provided the guidance to solve the problems.

It is with extreme pleasure and with deep personal pride that I have an opportunity to honor such foresight and leadership. Members, I second the nomination for Speaker of the House of Representatives of the 62nd Legislature of the man who has proved by action and hard work that he can lead this House—The Honorable Gus Mutscher of Washington County.

Mr. Longoria moved that G. F. (Gus) Mutscher be unanimously elected Speaker of the House of Representatives of the Sixty-second Legislature by acclamation.

The motion prevailed unanimously.

The Temporary Chief Clerk, upon direction of the Secretary of State, then cast the entire ballot for the Honorable G. F. (Gus) Mutscher for Speaker of the House of Representatives of the Sixty-second Legislature.

The Honorable Martin Dies, Jr., Secretary of State of the State of Texas, then declared the Honorable G. F. (Gus) Mutscher of Washington County to be the duly elected Speaker of the House of Representatives of the State of Texas of the Sixty-second Legislature.

ESCORT COMMITTEE APPOINTED

The Secretary of State announced the appointment of the following committee to escort the Speaker-elect to the Speaker's Rostrum for the purpose of the taking of the Constitutional Oath of Office by the Speaker-elect: Representatives Calhoun, Cruz, Doran, Foreman, Haynes, Zan Holmes, Jr., Hull, Johnson, McAlister, Murray, Nabers, Salem, Santiesteban, Swanson, Uher, Von Dohlen, and Wyatt.

OATH OF OFFICE TAKEN BY THE SPEAKER OF THE HOUSE

The Honorable G. F. (Gus) Mutscher of Washington County, having been escorted to the Speaker's Rostrum, took the Constitutional Oath of Office as Speaker of the House of Representatives of the Sixty-second Legislature of the State of Texas, which was administered by the Honorable Martin Dies, Jr., Secretary of State.

INTRODUCTION OF SPEAKER G. F. (GUS) MUTSCHER

The Secretary of State recognized the Honorable Cordell Hull of Tarrant County.

Mr. Hull, in turn, introduced Speaker G. F. (Gus) Mutscher to the House of Representatives, speaking as follows:

Mr. Secretary, Members of the House, Distinguished Guests:

At any time it would be a rare privilege to introduce to you our newly-elected Speaker. It is more of an honor to present one of the few men ever chosen to serve a second term in that Office.

But because he has served before, we can welcome him with unshakable confidence in his ability, his character, and his capacity for leadership. And, we can be firm in the conviction that we have acted with wisdom in retaining as our Speaker this most distinguished colleague. I take immense pride and great pleasure in presenting the Speaker of the 62nd Legislature, the Honorable G. F. Mutscher of Washington County.

Speaker Mutscher then addressed the House, speaking as follows:

Mr. Secretary, distinguished colleagues of the Texas House of Representatives, my fellow Texans:

Someone once said, "You must look into people as well as at them." If you were to look into the person standing before you now, you would find a man who is both exceedingly proud and humbly grateful. Today, I can only extend to you, the Members of this great Legislative Body, a very warm, a very cordial and a very personal word of thanks. You have truly honored me by making me Speaker of the Texas House of Representatives.

This afternoon, I will name four temporary committees in order that we might move swiftly and appropriately for the Session. Tomorrow I plan to comment on the timetable for our standing committees and give a few personal suggestions towards improving our permanent rules and decorum for the session. While we are all aware of the Legislative problems facing us at this time, within a few days I will present to you some of my ideas on how they might be solved.

This Chamber will see much hard work by all of us in the demanding weeks ahead, for as public servants, we are committed to do our best for the people of Texas.

At this particular moment, however, I can only again express my gratitude to my colleagues in the House . . . to the many wonderful friends and constituents who have assisted me in the past years . . . to a loyal and dedicated staff . . . and to all the people involved in the work of the Legislature.

And then to the members of my family . . . in particular to the person who has brought me so much happiness, my wife, Donna . . . and of course, to the other woman in my life, my daughter, Lisa.

I am also very happy to see my lovely nieces here today, my wife's very wonderful mother, my two sisters, my brother-in-law, and above all, my mother and father, to whom I owe not only my life, but also a tremendous share of the blessings that have gone along with it.

So on this day, I acknowledge a personal debt of thanks to all of you . . . for your support . . . for your trust . . . and for your friendship. It is my greatest hope that through this mutual trust, we might together realize the dreams that we cherish for an ever greater State of Texas.

The Secretary of State then recognized the Honorable Hilary Doran,

Jr., of Val Verde County, who addressed the House, presenting members of the family of the Honorable G. F. (Gus) Mutscher, speaking as follows:

Mr. Secretary of State, Mr. Speaker, Members of the House, Distinguished Guests, Distinguished Representatives of the News Media, Ladies and Gentlemen, and Friends:

It is with distinct pleasure and personal affection that I have the honor to introduce to this Assemblage the family of our Speaker, the Honorable Gus Mutscher.

Two years ago, less two days, when Gus was first elected our Speaker, he was a single man; but today, seated beside him, is a lady who, as I'm sure everyone who knows her will agree, is evidence of our Speaker's greatest accomplishment, namely the selection of a wife who possesses the warmth, the poise, and the friendliness that Donna Mutscher has in such abundance. It is with great pride that I present the lovely wife of our Speaker, Mrs. Donna Mutscher.

The lovely and gracious lady who is Donna's mother is with us today also, coming from El Dorado, Arkansas, and at this time I would like to recognize Mrs. Hurley Axum.

The Speaker's father, Mr. Gus Mutscher, Sr., of Washington County, is a man who is dedicated to his family, his town, his county, and his state, and his fine qualities can be easily identified in Gus. Our Speaker's mother has provided the strength, the warmth, and the love that every close family must have, a fact which is readily evident to everyone who has the honor of knowing her. It is with great pleasure that I present Mr. and Mrs. Gus Mutscher, Sr., of Brenham, Texas.

The Speaker's sisters are with us today also, and I would now like to introduce Mrs. Betty Boecker and her husband, Fred; and the Speaker's other sister, Mrs. Margie Foelber, from California, where she left her husband, Herb, a teacher by profession, keeping watch on the home front.

Now in closing, I would like to introduce three young ladies who represent what all of us are really here about today, that being to preserve a healthy society and to pass to a younger generation a heritage that will allow them the same opportunity that we, here in this great Hall, have enjoyed.

I would like to ask Gus' two nieces, Julie Boecker and Becky Foelber, to come forward and stand with Gus' and Donna's daughter, Lisa, so that everyone here may see three lovely young ladies.

These wonderful people comprise the major portion of the immediate family of our Speaker.

Before returning the program to Mr. Secretary of State Dies, I would like to also recognize another very important part of our Speaker's "Family": The people of Brenham, Texas, and his 29th District, a constituency in which Gus has always taken tremendous pride.

This concludes the introduction of our Speaker's family. Thank you.

(Speaker in the Chair)

RECESS

Mr. Sherman moved that the House recess until 2:30 p.m. today.

The motion prevailed without objection.

The House accordingly, at 1:07 p.m., recessed until 2:30 p.m. today.

AFTERNOON SESSION

The House met at 2:30 p.m. and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

On motion of Mr. Shannon, Mr. Salter was granted leave of absence for the remainder of today on account of important business.

INTRODUCTION OF HOUSE STAFF

The Speaker introduced the following members of the House Staff:

Mr. Bob Johnson, Parliamentarian; Miss Dolly Bryant, Legislative Correspondence; Mrs. Jeanette Burk, Journal Clerk; Mr. Raymond Delancey, Custodial Services; Mr. Albert Elam, Printing Department; Mrs. Orea Guffin, Enrolling and Engrossing Clerk; Mrs. Dorothy Hallman, Chief Clerk; Mrs. Adele Jacobs, Calendar Clerk; Mr. Walter Schaefer, Sergeant at Arms; and Mr. Fred Scott, Post Office and Property Manager.

The Speaker also introduced the following: Mr. Rush McGinty, Executive Assistant to the Speaker; Mr. Roger Thurmond, Legislative Assistant to the Speaker; Mr. Joe Shannon, Jr., Administrative Assistant to the Speaker; Mr. F. C. (Sonny) Schulte, Administrative Assistant to the Speaker and House Administration; Mr. John E. Blaine, Special Staff Assistant; and Mrs. Judy Long, Secretary to the Speaker.

HSR 2—ADOPTED

(Concerning Order of Business of the House)

Mr. Jim Nugent offered the following resolution:

HSR 2

Whereas, At the general election on November 4, 1930, Section 5 of Article III of the Constitution of the State of Texas was amended so as to read as follows, to wit:

"The Legislature shall meet every two years at such times as may be provided by law and at other times when convened by the Governor. When convened in Regular Session, the first 30 days shall be devoted to the introduction of bills and resolutions, acting upon emergency appropriations, passing upon the confirmation of recess appointees of the Governor and such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, that during the succeeding 30 days of the Regular Session of the Legislature the various committees of each House shall hold hearings to consider all bills and resolutions and other matters then pending; and such emergency matters as may be submitted

by the Governor; providing further that during the following 60 days the Legislature shall act upon such bills and resolutions as may be then pending and upon such emergency matters as may be submitted by the Governor in special messages to the Legislature; provided, however, either House may otherwise determine its order of business by an affirmative vote of four-fifths of its membership"; and

Whereas, Under said amendment it is specifically provided that either House may otherwise determine its order of business by an affirmative vote of four-fifths of its membership; now, therefore, be it

Resolved, by the House of Representatives of the 62nd Legislature, by an affirmative vote of four-fifths of its membership, That the order of its business for the Regular Session is hereby determined to be otherwise than set forth in Section 5 of Article III of the Constitution, and declared to be specifically as set forth in the Temporary and Permanent Rules of the House of Representatives of the 62nd Legislature.

The resolution was read and was adopted by the following vote:

Yeas—130

Adams	Dramberger	Kost	Salem
Agnich	Finck	Kubiak	Sanchez
Allen, Joe	Finnell	Lee	Santiesteban
Allen, John	Finney	Lemmon	Schulle
Allred	Floyd	Lewis	Semos
Angly	Foreman	Ligarde	Shannon
Atwell	Gammage	Lombardino	Sherman
Baker	Garcia	Longoria	Short
Bass, B.	Golman	Lovell	Silber
Bass, T.	Grant	McAlister	Simmons
Beckham	Hale	McKissack	Slack
Blanton	Hanna, Joe	Moncrief	Slider
Braecklein	Hannah, John	Moore, A.	Smith
Burgess	Harding	Moore, G.	Solomon
Bynum	Hawkins	Moreno	Spurlock
Caldwell	Hawn	Murray	Stewart
Calhoun	Haynes	Nabers	Stroud
Carrillo	Head	Nelms	Swanson
Cates	Heatly	Neugent, D.	Tarbox
Cavness	Hendricks	Newton	Traeger
Christian	Hilliard	Niland	Tupper
Clark	Holmes, T.	Nugent, J.	Uher
Clayton	Holmes, Z.	Orr	Vale
Coats	Howard	Parker, C.	Von Dohlen
Cobb	Hubenak	Parker, W.	Ward
Cole	Hull	Pickens	Wayne
Craddick	Ingram	Poerner	Wieting
Cruz	Johnson	Poff	Williams
Daniel	Jones, D.	Presnal	Williamson
Davis, D.	Jones, G.	Price	Wolff
Davis, H.	Jungmichel	Reed	Wyatt
Doran	Kaster	Rodriguez	
Doyle	Kilpatrick	Rosson	

Nays—13

Bigham	Denton	Harris	Moore, T.
Blythe	Earthman	Jones, E.	Nichols
Bowers	Graves	Mengden	Patterson
Braun			

Absent

Atwood	Farenthold	Ogg	Truan
Boyle			

Absent-Excused

Salter

HSR 3—ADOPTED

(Adopting Temporary Rules of the House)

Mr. Hale offered the following resolution:

HSR 3

Be It Resolved by the House of Representatives of the State of Texas, That the Permanent Rules of the 61st Legislature be, and are hereby, adopted as the Temporary Rules of the 62nd Legislature.

The resolution was read and was adopted.

Mr. Hale moved to reconsider the vote by which HSR 3 was adopted and to table the motion to reconsider.

The motion to table prevailed.

HSR 4 — ADOPTED

(Providing for Temporary Committees of the House)

Mr. Blanton offered the following resolution:

HSR 4

Be It Resolved by the House of Representatives of the State of Texas, That the Speaker appoint the following temporary committees, with membership as indicated and the respective jurisdictions:

House Administration, five members;

Rules, seven members;

Appropriations, seven members; and

Engrossed and Enrolled Bills, five members; to serve until the permanent committees of the House of Representatives are appointed.

The resolution was read and was unanimously adopted.

Mr. Longoria moved to reconsider the vote by which HSR 4 was adopted and to table the motion to reconsider.

The motion to table prevailed.

APPOINTMENT OF TEMPORARY COMMITTEES OF THE HOUSE

The Speaker announced the appointment of the following Temporary Committees of the House:

House Administration: Representatives McAlister, Chairman; Shannon, McKissack, Swanson, and Poerner.

Rules: Representatives Rosson, Chairman; Hale, Jungmichel, Jim Nugent, Ligarde, Cruz, and Sherman.

Engrossed and Enrolled Bills: Representatives Dean Neugent, Chairman; John Allen, Adams, Edmund Jones, and Hubenak.

Appropriations: Representatives Heatly, Chairman; Slack, Braecklein, Slider, Longoria, Haynes, and Tarbox.

HSR 5 — ADOPTED

(Appointing a committee to arrange for parking spaces)

Mr. McAlister offered the following resolution:

HSR 5

Whereas, The Regular Session of the 62nd Legislature of the State of Texas is now in session; now, therefore, be it

Resolved, That the following plan for the parking of automobiles be followed:

1. That each House Member shall have an allotted parking space for his car to be issued with consideration for physical handicaps and seniority as a Member of the House of Representatives. Each Member will be issued a decal for his car with the number corresponding to the number marked on the curb.

2. Each Member will refrain from parking in any spot other than the one allotted to him and which carries his number.

3. Any unauthorized state employee parking in these spots whose car does not exhibit a decal will be reported to his employer, and in the case of the House, to the Speaker of the House of Representatives for corrective action upon said employer's and Speaker's discretion.

The Speaker is authorized to appoint a committee of five Members to carry out the provisions of this Resolution and assign parking spaces as available.

The resolution was read and was unanimously adopted.

Mr. Wayne moved to reconsider the vote by which HSR 5 was adopted and to table the motion to reconsider.

The motion to table prevailed.

HSR 6 — ADOPTED

(Making certain provisions for operational procedures of the House)

Mr. Shannon offered the following resolution:

HSR 6

Be It Resolved by the House of Representatives of the State of Texas, That the following positions for the Regular Session of the 62nd Legislature shall be appointed by the Speaker:

1. Chief Clerk
2. Sergeant at Arms
3. Reading Clerk
4. Journal Clerk
5. Calendar Clerk
6. Committee Clerk
7. Enrolling and Engrossing Clerk
8. Chaplain
9. Voting Machine Operator
10. Parliamentarian

It shall be the duty of the Speaker to employ all personnel necessary to the operation of the House and its appurtenances and to fix and adjust their compensation and hours of employment and to determine the hours each department office shall be kept open; and, be it further

Resolved, That it shall be the duty of the Speaker, and he is hereby empowered, to employ or dispense with the services of any employee, who is not needed or for misconduct of any employee. The duties of the employees heretofore mentioned shall be such as are required by the Speaker of the House of Representatives. Any employee who shall absent himself without leave shall not receive any compensation for the time missed during his absence. The salaries of the employees shall begin when they are instructed to begin work by the House Administration Committee or the Speaker; and, be it further

Resolved, That each Member of the House of Representatives of the 62nd Legislature be, and is hereby, allowed a credit in the sum of \$875.00 per month for such expenditures as may be authorized by the House Administration Committee. The Speaker shall be entitled to a credit for such expenditures as may be necessary to cover the operations of his

office, and all departments of the House of Representatives shall each be allowed a credit for expenses of their respective offices as may be determined by the House Administration Committee; and, be it further

Resolved, That the House Administration Committee shall procure and keep for the use of the Speaker of the House, House Members, employees, departments, and committees, such stationery, stamps, and other furniture, fixtures and supplies as may be necessary. The House Administration Committee shall keep an itemized account of the quantity of every kind of material received, the date it was received, the price paid therefor, and the persons from whom it was received, and shall keep a set of books with an account for each Member, department, and committee authorized by the House Administration Committee to make expenditures, and shall charge to each such account its daily withdrawals. The House Administration Committee shall furnish a statement on each of the accounts monthly, or when requested; and, be it further

Resolved, That the House Administration Committee shall have jurisdiction over the mailing of the Journal and the House Administration Committee shall determine the number of copies of the House Journal to be printed daily and the distribution of the same; and, be it further

Resolved, That no allowance included in this Resolution shall be expended except actual salaries or actual expenses of the House, its Members, departments, committees and employees and for such other expenses as are authorized by the House Administration Committee. All such funds necessary to be expended in payment of all of the above shall be paid out of the Expense Fund of the House of Representatives; and, be it further

Resolved, That the Speaker of the House be, and is hereby, authorized to make any expenditures and perform any function deemed necessary by him for the effective and efficient operation of the House of Representatives and its appurtenances; and, be it further

Resolved, That the Speaker's apartment and offices shall be set aside for the use of the Speaker and his family throughout his term of office and that the House Administration Committee shall be authorized to make the necessary expenditures properly to equip and service the Speaker's apartment and offices and to employ such help as may be necessary to maintain properly and care for said apartment and offices.

The resolution was unanimously adopted.

Mr. Shannon moved to reconsider the vote by which HSR 6 was adopted and to table the motion to reconsider.

The motion to table prevailed.

VOTE RECORDED

Mr. Kubiak requested to be recorded as voting Nay on adoption of HSR 6.

EXPRESSION OF APPRECIATION

Speaker Mutscher addressed the House briefly and expressed appreciation to Mrs. Louise Snow Phinney, Douglas Weitzel, Ernest Boyett, and

the Reverend Carl Heckmann, who served as temporary officers for the opening of the Sixty-second Legislature.

ADJOURNMENT

Mr. Sherman moved that the House adjourn until 10:30 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 3:18 p.m., adjourned until 10:30 a.m. tomorrow.

In Memory of the Honorable

George T. Hinson

Mr. Solomon offered the following resolution:

HCR 1

Whereas, The death of Representative George T. Hinson of Mineola, on Thursday, March 26, 1970, brought to a close the interesting and useful life of one of the most distinguished Members of the Texas Legislature, who throughout his 16-year tenure in the House of Representatives rendered invaluable service to his State and to his fellowman; and

Whereas, George Hinson was 59 years of age at the time of his death, having been born on a farm in Wood County in 1910. He had lived most of his life in Mineola; he was a member of the First Baptist Church, the Masonic Lodge, the Mineola Lions Club, and the Chamber of Commerce; and

Whereas, He attended Pleasant Grove Schools, later entering what was known as the "subcollege" at East Texas State Teachers College, where he completed high school and one year of college. At 18 years of age he returned to Wood County where he taught school at Gunter; after 12 years of teaching he quit the profession to become a railroad engineer. In recent years he had been engaged in real estate and ranching; and

Whereas, In 1950 he was elected to the House of Representatives: he served the 11th Legislative District, comprised of the Counties of Camp, Hopkins, Upshur and Wood, for eight terms, the 52nd, 53rd, 56th, 57th, 58th, 59th, 60th, and 61st Legislatures; and

Whereas, Throughout his adult life George Hinson had been a champion of the public school system of Texas, and its teachers; he probably sponsored more legislation benefiting teachers and the educational system in Texas than any other Member. During the last session of the Legislature he was instrumental in enacting legislation which offered advantages to the teachers and administrators in the Texas public schools, and which authorized the establishment of a state-supported kindergarten program. He believed that children and teachers alike should be given every opportunity to prepare themselves for a successful life; he was also a firm believer in vocational-

technical education, and in the Junior College System of his state; and

Whereas, Encouraged by the difficult time he had getting a college education, he conceived and cosponsored a bill with Senator Grady Hazlewood of Amarillo, which was known as the Hinson-Hazlewood Act, and which was designed to provide loans to needy students; and

Whereas, During his years of public service he was the recipient of innumerable honors from those interested in the betterment of education, and from his fellow lawmakers throughout the state. In 1967 an appreciation banquet was given in his honor at Quitman with an attendance of over 1,000 persons, and he was lauded by the great and the near great. Another outstanding tribute was paid to him in Houston following the adjournment of the Regular Session of the 61st Legislature in 1969; and

Whereas, "Mr. Education," as he was affectionately called, had served on most of the important House Standing Committees. At the time of his death he was Chairman of Public Education; Vice-Chairman of Higher Education; and a member of Common Carriers; Oil, Gas and Mining; and Revenue and Taxation. After the Regular Session of the 61st Legislature was adjourned, he was appointed by Speaker Gus Mutscher to serve his fourth term as a member of the Texas Legislative Council; the Speaker also appointed him to the interim committee to study the Minimum Foundation Program for the Texas Public Schools as provided for in House Bill No. 240, enacted by the 61st Legislature; and

Whereas, In 1954, during an unsuccessful campaign for Lieutenant Governor, George Hinson was asked if he was a liberal or a conservative. His reply was: "If a conservative is one who wants to save our human and natural resources and care for our needs currently instead of waiting until a state of deterioration occurs, I am a conservative. If a liberal is one who is willing to spend whatever money is necessary to insure a sound and stable economy and adequate services for the people, then I am a liberal." And so it was from the beginning to the end of his public life; and

Whereas, Upon word of his death, words of praise were many; Governor Preston Smith remarked: "We have lost one of the most dedicated and qualified Members of the Texas Legislature. He had contributed much to the development and welfare of our State." His fellow East Texas Legislators declared that the loss

was not only a personal one, but that all the people of Texas would be losers; and

Whereas, This outstanding Texas gentleman and eminent Legislator will be greatly missed by his family and his hundreds of friends and associates throughout the state; now, therefore, be it

Resolved by the House of Representatives of the 62nd Legislature, the Senate concurring, That by this Resolution the Texas Legislature show honor and respect to this worthy and distinguished citizen, George T. Hinson, and extend deep sympathy to the members of his family on their great loss: to his daughter, Mrs. Maxine Garrett of Richardson; to his son, Major Travis L. Hinson, an Air Force officer stationed in Shreveport, Louisiana; his two brothers, L. G. Hinson of Dallas and W. D. Hinson of Baytown; to his four sisters; Mrs. Ozelle Knight of Longview, Mrs. T. C. Byron of Quitman, Mrs. Merle Kennemer of Pampa, and Mrs. Matteel Ingram of Dallas; and four grandchildren, Ronnie Hinson and Kathy Hinson, now of Shreveport, Louisiana, and Lyndel McClenny and Melissa Garrett of Richardson; and, be it further

Resolved, That copies of this Resolution, under the Seal of the Texas House of Representatives, be prepared for the members of his family, and that when the two Houses of the Legislature adjourn this day, they do so in respect to the memory of George T. Hinson.

The resolution was read and was unanimously adopted by a rising vote.

On motion of Mr. Head and Mr. Price the names of all the Members of the House were added to the resolution as signers thereof.

In Memory of
Hurley Benson Axum

Mr. Shannon offered the following resolution:

HCR 2

Whereas, Friends and legislative associates of the Gus F. Mutscher family were deeply saddened by the death on Sunday, December 27, 1970, of Mrs. Mutscher's father, Hurley Benson Axum of El Dorado, Arkansas; and

Whereas, The untimely passing at the age of 63 of this distinguished business leader, who was president of The Exchange Bank and Trust Company of El Dorado, was an irreparable loss to his native state of Arkansas and to Texas, where he had made many firm friends and acquaintances in Capitol circles since his daughter, Donna, became the wife of Gus F. Mutscher, Speaker of the Texas House of Representatives; and

Whereas, Mr. Axum was a lifelong resident of Union County, Arkansas, where he was born on October 11, 1907, at Lawson, the son of R. B. Axum, Sr., and Cumie Betts Axum; and

Whereas, Educated at El Dorado High School and the University of Wisconsin School of Banking, Mr. Axum had been in the banking business for the past 42 years: he began his employment with The Exchange Bank and Trust Company on August 18, 1928, as a messenger and clerk and had worked in all departments of the bank during his 42 years of continuous service; and

Whereas, Mr. Axum was active in many civic and banking associations and was a charter member of the El Dorado Junior Chamber of Commerce as well as a member of that organization's first board of directors; he was a former president of the El Dorado Chamber of Commerce and served two terms as president of the El Dorado School Board; and

Whereas, He was a past president of the Kiwanis Club, the Union County Wildlife Association, and the Arkansas Wildlife Association; he also served as a member of the board of the Community Chest, Boy Scouts of America and Girl Scouts; and

Whereas, Mr. Axum's ability, dedication, and sense of re-

sponsibility were recognized in banking circles throughout the entire country: he was a former member of the executive board of the Arkansas Bankers Association and held many committee posts throughout the years in the installment credit and savings division of the American Bankers Association; and

Whereas, It has been said that the busiest person is the one to call on for a job well-done, and this certainly applied to Hurley Benson Axum as he conducted his business, participated in numerous civic activities, and gave his leadership to the work of his church, the First Baptist Church of El Dorado, where he was a deacon; and

Whereas, This 62nd Legislature wishes to pay tribute to Mr. Axum as an eminent civic, business, and Christian leader, whose death leaves a void in the hearts of members of his family, his many friends, associates and acquaintances throughout Arkansas and Texas and the entire United States; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That the Texas Legislature by this Resolution honor the memory of Hurley Benson Axum and extend profound sympathy to the members of his family on their great loss: to his wife, Mrs. Idelle Wheat Axum; to his daughters, Mrs. Mona Axum Turnham of Shreveport, Louisiana, and Mrs. Donna Axum Mutscher of Austin, Texas; to his three brothers, W. G. Axum of Strong, Arkansas; R. B. Axum of St. Louis, Missouri; and Thomas Ray Axum of Lawson, Arkansas; and three grandchildren; and, be it further

Resolved, That official copies of this Resolution be prepared for the members of his family as an expression of the esteem of the Texas Legislature for this notable citizen of Arkansas, for whom we feel a particular closeness because of his daughter and our friend, Mrs. Donna Axum Mutscher.

The resolution was read and was unanimously adopted by a rising vote.

On motion of Mr. Ward the names of all the Members of the House were added to the resolution as signers thereof.

In Memory of the Honorable

Roger H. Thurmond

Mr. Doran and Speaker Mutscher offered the following resolution:

HCR 3

Whereas, The death of an outstanding, public-spirited citizen brings into even sharper focus his many deeds of public service and civic betterment; this is particularly true of the Honorable Roger H. Thurmond of Del Rio, who had served as Judge of the 63rd Judicial District for more than 20 years and was a former Member of the Texas House of Representatives; and

Whereas, Judge Thurmond, whose untimely death at the age of 65 was a great loss to family, friends, and associates in his district and throughout the State of Texas, died on March 24, 1970; and

Whereas, Judge Thurmond, by his many years of distinguished leadership and civic dedication, was a true representative of a family steeped in a tradition of public service to community and state; and

Whereas, This distinguished jurist was appointed to the bench by Governor Coke R. Stevenson early in December, 1946, and had been reelected for each new term since then; and

Whereas, Judge Thurmond was presiding Judge of the Sixth Administrative Judicial District, one of nine such judges in the State of Texas, and had served in that capacity since 1951; and

Whereas, Born in Del Rio on December 8, 1904, he was the son of Judge and Mrs. George M. Thurmond; he was reared in Del Rio, was graduated from Del Rio High School in 1924, and attended Texas A&M College in 1924 and 1925; he then studied law at The University of Texas at Austin; and

Whereas, While a student in the Law School he served in the House of Representatives, as had his father before him, holding a seat that was later held by each of his own two sons, George M. Thurmond and Roger H. Thurmond, Jr.; and

Whereas, In December of 1929 he was appointed Judge of Val Verde County and he was elected to that office in his own right in July, 1932; he served until 1935. In 1938 he was elected District Attorney for the 63rd Judicial District; he held this office until he was appointed to the bench of the District Court by Governor Stevenson; and

Whereas, Judge Thurmond was a member of St. James Episcopal Church and of the Masonic Lodge; and

Whereas, He is survived by his wife, Mrs. Day Thurmond; his sons, George M. Thurmond and Roger H. Thurmond, Jr., both former Members of the Texas House of Representatives and respected colleagues of many Members now serving in this 62nd Legislature; and three granddaughters, Carolyn Day, Georganna, and Sarah Gail Thurmond, all of Del Rio; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That by this Resolution the 62nd Legislature pay tribute to a distinguished attorney, former legislator, and eminent judge, the Honorable Roger H. Thurmond; and, be it further

Resolved, That copies of this Resolution be prepared for members of his family as an expression of profound sympathy from the Legislature and all the people of Texas, and that when the two Houses of the Legislature adjourn this day they do so in memory of and in appreciation for the life of Judge Roger H. Thurmond.

The resolution was read and was unanimously adopted by a rising vote.

On motion of Mr. Wieting the names of all the Members of the House were added to the resolution as signers thereof.